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FACSIMILE COVER SHEET

DATE: December 8, 2005

NO. OF PAGES: 7
(INCLUDING THIS COVER)

TO: Petitions

RECEIVED

FAX NO.: 571-273-8300

25 JAN 2006

FROM: Kim Campbell

Legal Staff
International Division

Re: **U.S. Application No. 10/517,101**
Title: **MODIFIED RELEASE, MULTIPLE UNIT DRUG DELIVERY SYSTEMS**
Our Ref.: **RLL-266US**

Dear Sir,

Please find attached the Petition to File When Inventor cannot be reached and the Declaration regarding the above matter.

Thank you.


Kim Campbell
Paralegal- Patents**CONFIDENTIALITY NOTE:**

The information contained in this facsimile message is strictly privileged and confidential, intended only for the use of the individual or entity named above.

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DEC 08 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

RLL-266US

I hereby certify that this paper is being facsimile
transmitted to the United States Patent and Trademark Office
at (571) 273-8300 on the date shown below.

Date: December 8, 2005


Kim Campbell**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: KUMAR et al.
Application No.: 10/517,101
Filed: December 7, 2004
Title: MODIFIED RELEASE, MULTIPLE UNIT DRUG DELIVERY
SYSTEMS

PETITION TO FILE WHEN INVENTOR CANNOT BE REACHED
UNDER 37 CFR § 1.47

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 dated May 9, 2005, Applicants hereby petition to waive the execution of the Declaration by inventor Ravikumar NITHIYANANDAM as an inventor of the above referenced application. Mr. Nithiyanandam has been presented with a copy of the application papers and have failed to respond to the request to sign the declaration. To date we have made numerous attempts to contact Mr. Nithiyanandam but have not received a response. Mr. Narayanan last known address is No. 24, Bairavan Kovil Street, Dharapuram, Erode District, 638656 Tamilnadu India. Applicants hereby submit as set forth in 37 CFR § 1.47 the Declaration executed by all other inventors.

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Reg'd PCT/PTO 08 DEC 2005 003/007

RLL-266US

10/517101

Authorization is hereby given to charge any fees associated herewith to Deposit
Account No. 50-0912.

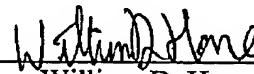
Respectfully submitted,

KUMAR et al.

Date: December 8, 2005

Customer No. 26815

By



William D. Hare

Reg. No. 44,739

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
50	0912
FEE CODE	VALUE FORWARDED
1255	2160
1617	130

01/23/2006 WALVARAD 00000001 500912 10517101
Sale Ref: 00000001 DA# 500912 10517101
01 FC:1255 2160.00 DA
02 FC:1617 130.00 DA

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Page 1 of

Docket No.
RL-266US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
MODIFIED RELEASE, MULTIPLE UNIT DRUG DELIVERY SYSTEM ✓

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on June 9, 2003 ✓ as United States Application No. or PCT International
Application Number PCT/IB03/02186 ✓
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)		Priority Not Claimed
<u>617/Del/2002</u> ✓	<u>India</u> ✓	<u>07/06/2002</u> ✓
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)

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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Jay R. Deshmukh, Esq. Reg. No. 34,507
George E. Heibel, Esq. Reg. No. 42,648
William D. Hare, Esq. Reg. No. 44,739
Kenneth Y. Lo, Esq. Reg. No. 51,961
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Send Correspondence to: Jay R. Deshmukh, Esq.
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Jay R. Deshmukh, Esq. 609-720-5608

Full name of sole or first inventor	<u>Patrik KUMAR</u>
Sole or first inventor's signature	<u>Patrik Kumar</u>
Residence	<u>Muzaffarpur Bihar</u>
Citizenship	<u>India</u>
Post Office Address	<u>c/o Dr. Neelam Singh, Shivpri Damuchowk, Muzaffarpur Bihar 842001 India</u>

Full name of second inventor, if any	<u>Girish Kumar JAIN</u>
Second inventor's signature	<u>Girish</u>
Residence	<u>Pitampura, Delhi</u>
Citizenship	<u>India</u>
Post Office Address	<u>4 Sharda Niketan, Teachers Colony, Pitampura, Delhi 110034 India</u>

3-00

Full name of third inventor, if any <u>Ashok RAMPAL</u>	Date
Third inventor's signature <i>Ashok Rampal</i>	3/2/05
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Citizenship <u>India</u>	
Post Office Address <u>14, Sewa Nagar, Ram Tirath Road Amritsar, Punjab 143001 India</u>	

4-00

Full name of fourth inventor, if any <u>Ravikumar NITHYANANDAM</u>	Date
Fourth inventor's signature	
Residence <u>Periyar, Tamil Nadu</u>	
Citizenship <u>India</u>	
Post Office Address <u>No. 24, Bairavan Kovil Street, Dharapuram, Erode District, Periyar, Tamil Nadu 638656 India</u>	

5-00

Full name of fifth inventor, if any <u>Rajeev Singh RAGHUVANSHI</u>	Date
Fifth inventor's signature <i>Rajeev Singh</i>	3/2/05
Residence <u>New Delhi, Delhi INX</u>	
Citizenship <u>India</u>	
Post Office Address <u>D8/8131 Vasant Kunj, New Delhi, Delhi 110070 India</u>	

Full name of sixth inventor, if any	Date
Sixth inventor's signature	
Residence	
Citizenship	
Post Office Address	